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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,815	12/28/1999	KI-HWAN KIM	678-418-(P88	1495

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PAUL J FARRELL  
DILWORTH & BARRESE  
333 EARLE OVINGTON BLVD  
UNIONDALE, NY 11553

EXAMINER

ANWAH, OLISA

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 08/12/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/473,815

Applicant(s)

KIM, KI-HWAN

Examiner

Olisa Anwah

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4 is/are allowed.
- 6) ☒ Claim(s) 5-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 5-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wagner et al, U.S. Patent No. 6,169,911 (hereinafter Wagner) combined with Greco et al, U.S. Patent No. 5,568,540 (hereinafter Greco) in further view of Davis, U.S. Patent No. 5,867,793 (hereinafter Davis).

Regarding claim 5, Wagner discloses a method for reproducing a voice message in a mobile telephone having a memory for storing a voice message and storage-related information (see Figure 4), the method comprising the steps of (a) determining whether a voice message reproduce mode is set by a user; (b) accessing the memory to find the last stored voice message by consulting stored times of respective voice messages, when the voice message reproduce mode is set; (c) reproducing the found voice message; (e) determining whether a scroll key is

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input; and (f) finding a next voice message and returning to step (c) to reproduce the next voice message, if the scroll key is input (lines 5-20 of column 3, lines 5-45 of column 5, lines 20-45 of column 6 and Figure 4).

Wagner does not disclose reproducing the found voice message while simultaneously displaying a remaining time left in the found voice message and after a predetermined time interval, updating the remaining time being displayed. However Greco discloses this limitation (see Figure 3). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wagner with the method of displaying remaining time as suggested by Greco. This modification would allow for a duration indicator as suggested by Greco and Wagner.

The combination of Wagner and Greco does not explicitly disclose the message is reproduced without entering a key separate from the scroll key. However Davis discloses this limitation (see column 3). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Wagner-Greco combination with the scroll key taught by Davis. This modification allows the user to operate the message recorder using the same hand holding the handset as suggested by Davis (column 1).

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Regarding claim 6, see Greco, Figure 3.

Regarding claim 7, see column 6 of Wagner and column 3 of Davis.

### ***Response to Arguments***

3. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

### ***Allowable Subject Matter***

4. Claims 1-4 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, Akahane teaches a method of storing a voice message and storage-related information of said voice message in a mobile telephone (see columns 4 and 5). However Akahane fails to disclose calculating a remaining memory capacity based on the storage-related information.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa

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Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O.A.

Olisa Anwah  
Patent Examiner  
August 2, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

